

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

UNITED STATES DISTRICT COURT

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for the

Middle District of Alabama

2022 MAY 19 A 9:14

Southern Division

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

George D. Metz II Pro Se

Case No. **1:22-CV-303-PAH-JTA**

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Officer J Dodson
Sheriff Donald Valenza

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	George D. Metz II		
Address	4980 SE 140th st.		
	Summerfeild	FL	34491
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Marion		
Telephone Number	352-446-8145		
E-Mail Address	patriotdiscussions@gmail.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	Officer J. Dodson		
Job or Title <i>(if known)</i>	Officer Dothan Police Department		
Address			
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Houston		
Telephone Number			
E-Mail Address <i>(if known)</i>			
	<input checked="" type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity		

Defendant No. 2

Name	Sheriff Donald Valenza		
Job or Title <i>(if known)</i>	Houston county AL Sheriff		
Address			
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	Houston		
Telephone Number			
E-Mail Address <i>(if known)</i>			
	<input checked="" type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity		

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

Defendant No. 3

Name

Job or Title (*if known*)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (*if known*)☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name

Job or Title (*if known*)

Address

City

State

Zip Code

County

Telephone Number

E-Mail Address (*if known*)☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

see Attachment

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

-
- D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.
- see attachment
-

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. Where did the events giving rise to your claim(s) occur?

see Attachment

- B. What date and approximate time did the events giving rise to your claim(s) occur?

see Attachment

- C. What are the facts underlying your claim(s)? (*For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?*)

see Attachment

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See Attachment

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

see Attachment

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

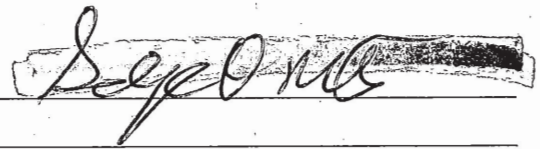
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 05/17/2022

Signature of Plaintiff s/George D Metz II

Printed Name of Plaintiff George D. Metz II


B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

City

State

Zip Code

Telephone Number _____

E-mail Address _____

1. George Metz is of legal age and a U.S. citizen. He resides in Summerfield, Florida. He is an independent Journalist/Activist.

2. Defendant Officer J Dodson was employed by the City of Dothan as a police officer at all times relevant to the allegations in this complaint and is a resident and citizen of the state of Alabama.

3. Defendant Sheriff Valenza was employed by the County of Houston as Sheriff at all times relevant to the allegations in this complaint and is a resident and citizen of the state of Alabama.

4. The City of Dothan is an Alabama municipality.

5. Defendants Dodson and Valenza are sued in their individual capacities only.

Facts

6. On or about June 4th, 2020, plaintiff George Metz, went to the city of Dothan Alabama to gather content and view the public officials performances.

7. George was walking along and standing on the public sidewalk just outside the parking lot of the Dothan PD training building.

8. We were accosted by Sheriff Donald Valenza who said he was conducting an investigation and wanted to see our media credentials since we have been recording their buildings.

9. Within one minute of the Sheriff arriving two other LEOs arrive, and I no longer feel free to leave as they surround me and ask for ID.

10. I inform the sherrif that if i have done something illegal i will gladly show my id, to which he replys i have done something illegal by recording government buildings.

11. The Sheriff further states the reason he is asking for my ID is because i came into publicly accessable areas of government buildings and recorded. Which he thinks is illegal.

12. At 4:14 in my video ([exhibit 1](#)) the Sheriff tells the female deputy to get and picture and "we'll let them go", confirming that we were detained..

13. At 5:37 in the video the sheriff tells me to " show my press credentials and you can go", indicating again that he has no reason to detain me.

14. At 7:42 in [exhibit 1](#) the female deputy states the sheriff detained us for filming on government property. At 8:29 investigator Griffin again confirms i am being detained.

15. While waiting on the sheriff to finish his investigation Officer J Dodson pulls up. Ofc Dodson had illegally searched me earlier that day trying to get my ID but failed. He starts in with the copsplaining of how because some americans might be exercising their right of protest in the future, i need to forefit my 4th amendment right today.

16. Ofc Dodson explains that while i am correct about the statute, my application of it is wrong because he has R.A.S. of "suspicious activity".

17. In the end I was unlawfully detained for 30 minutes and unlawfully Identified.

**Count I - 42 U.S.C. § 1983 - Illegal Seizure
Sheriff Valenza ONLY**

22. On or about June 4th, 2020, defendant Sheriff Donald Valenza, acting under color of law within the meaning of 42 U.S.C. § 1983, seized Metz without probable cause, thereby depriving Metz of his rights under the Fourth and Fourteenth Amendments to the Constitution of the United States in violation of 42 U.S.C. § 1983. Specifically, Sheriff Valenza violated Metz's right to be free from unlawful seizure.

23. Sheriff Valenza acted with malice or reckless indifference to Metz's constitutional rights.

24. As a result of the conduct of Sheriff Donald Valenza , Metz has been caused to suffer emotional injuries and damages and has been caused to incur expenses, including attorney's fees and other costs of litigation.

Count II - 42 U.S.C. § 1983 - 4th amendment unlawful search Dodson ONLY

25. On or about June 4th, 2020, Ofc J. Dodson unlawfully Identified me through coercion, thereby depriving Metz of his rights under the Fourth Amendment to the Constitution of the United States in violation of 42 U.S.C. § 1983. Specifically, Ofc Dodson violated Metz's right of his papers being secure.

26. Ofc J. Dodson acted with malice or reckless indifference to Metz's constitutional rights.

27. As a result of the conduct of Ofc J. Dodson, Metz has been caused to suffer emotional injuries and damages and has been caused to incur expenses, including attorney's fees and other costs of litigation.

Count III -42 U.S.C. § 1983- 1st Amendment retaliation claim- Both defendants

28. Plaintiff brings this claim against both defendants because their rights violations were driven by the fact of me exercising my right to free press.

Relief Sought

29. As relief, plaintiff seeks the following:

- a. That plaintiff be awarded such compensatory damages as a jury shall determine from the evidence plaintiff is entitled to recover;
- b. That plaintiff be awarded against the individual defendant only such punitive damages as a jury shall determine from the evidence plaintiff is entitled to recover;
- c. That plaintiff be awarded prejudgment and postjudgment interest at the highest rates allowed by law;
- d. That plaintiff be awarded the costs of this action, plaintiff's reasonable attorney's fees, and plaintiff's reasonable expert witness fees;
- e. That plaintiff be awarded such other and further relief to which plaintiff is justly entitled.

Dated: May 17th, 2022.

Respectfully submitted,


s/ George Douglas Metz II Pro Se

George Douglas Metz II Pro Se

4980 S.E. 140th st

Summerfield FL 34491

Phone: 352-446-8145

Email: patriotdiscussions@gmail.com

Jury Demand

Plaintiff requests a trial by jury.


s/ George Douglas Metz II Pro Se

FROM:

George metz
4980 SE 140th St
Summerfield FL
34491

7022 0410 0002 7390 3088



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TO:

Clerk of courts
One Church Street
Montgomery AL
36104